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Lineup pay pads wallet of jail superintendent

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Erie County legislators are weighing a 10 percent pay raise for the boss of the county's jail system, to bring his salary to \$104,928 a year.

But through a little-known perk given to administrators in the Sheriff's Office, Jail Superintendent Robert A. Koch Jr. already makes more than \$104,000 a year, and that does not include his county-provided vehicle.

The raise proposed for Koch, if granted by the Legislature today, would lift his base pay from \$95,118 to \$104,928 this year.

If granted, however, Koch would probably end up earning more than \$114,000 in 2010, through the perk of "lineup pay."

Erie County grants its unionized corrections officers and jail deputies 15 minutes of overtime pay each day to start their shift 15 minutes early, so they can attend that day's briefing by higher-ups.

Several sheriff's administrators, even though they are not unionized employees, can collect lineup pay, too — a half-hour daily. Some of the highest-ranking supervisors, already granted six-figure salaries and take-home vehicles, collect lineup pay.

For example, the benefit added more than \$9,000 each to the 2009 salaries of Undersheriff Richard

Donovan and Administrative Coordinator Brian Doyle. Sheriff Timothy B. Howard does not collect lineup pay. As a county elected official, his salary is capped at about \$79,000 a year.

Lineup pay added \$9,020 to Koch's salary in 2009, when he averaged 2.5 hours a week in lineup duty, which would be considered normal for an administrator who can receive 30 minutes of lineup pay daily. But he collected those 2.5 hours a week even

during vacation weeks, payroll records show.

County Personnel Commissioner John W. Greenan said that because of a case arbitrated years ago, lineup pay is earned by eligible workers even when on vacation. "As a result of an arbitration award, sheriff's employees are required to be paid shift differential and lineup pay even when they are on vacation," he said.

The sheriff wants to grant Koch the higher salary to reflect his level of responsibility. In May 2009, Koch was named superintendent of the Jail Management Division, after working his way up since 1981.

Howard requested the higher salary for Koch only in recent weeks. It would be retroactive to Jan. 2, and he needs Legislature consent in order to adjust his 2010 budget.

Because of Koch's experience, he is respected by many of the officers and other jail personnel. The state Commission of Correction, which has found fault with many aspects of the county's jail operations, said the Correctional Facility in Alden has improved under Koch's watch, though the agency has no stance on whether the county should grant the new salary.

Since state and federal lawsuits have been filed seeking better conditions for inmates, and the jail has a significant suicide rate, some legislators and citizens concerned about jail conditions say it's the wrong time to grant Koch a raise.

"Given the significant and widespread problems at the Holding Center, Sheriff Howard should be focused on fixing the problems at the Holding Center, not giving raises to political appointees," Comptroller Mark C. Poloncarz said.

Poloncarz, who in past audits has expressed concerns about the lax use of lineup pay, said the county's personnel commissioner and County Executive Chris Collins should examine the matter, especially if Koch receives lineup pay during weeks of vacation.

"It is an axiom of the business world, 'Business 101' so to speak, which states no employee should be paid for work they did not perform," he said.

Comments

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